

JUN 19 2014

JULIA C. DUDLEY, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

ERIC ROBERT SMITH,
Plaintiff,

v.

FIRST SERGEANT HARRIS,
Defendant(s).

) Civil Action No. 7:14-cv-00218
)
)

) MEMORANDUM OPINION
)

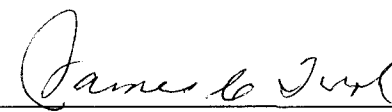
) By: James C. Turk
) Senior United States District Judge
)

Eric Robert Smith, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983 or Bivens. By Order entered 4/30/2014, the court directed plaintiff to submit within 10 days from the date of the Order a certified copy of his trust fund account statement for the six-month period preceding the filing of his complaint, obtained from the appropriate prison official at each prison where he is or was confined for that period of time. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 10 days have elapsed, and plaintiff has failed to comply with the described conditions because he has not responded to the Order. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 17th day of June, 2014.


Senior United States District Judge